

**U.S. District Court****United States District Court for the Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:10-cv-00376-RWS**

City of Pontiac General Employee's Retirement System v. Stryker Corporation et al  
 Assigned to: Judge Robert W. Sweet  
 Cause: 15:78m(a) Securities Exchange Act

Date Filed: 01/15/2010  
 Date Terminated: 05/21/2010  
 Jury Demand: Plaintiff  
 Nature of Suit: 850 Securities/Commodities  
 Jurisdiction: Federal Question

**Plaintiff**

**City of Pontiac General Employee's Retirement System**  
*on behalf of itself and all others similarly situated*

represented by **Samuel Howard Rudman**  
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V.

**Defendant****Stryker Corporation**

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**Defendant**

**Stephen P. Macmillan**

represented by **Boris Feldman**  
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**Gideon Alexander Schor**  
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**Defendant**

**Dean H. Bergy**

represented by **Boris Feldman**  
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**Gideon Alexander Schor**  
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**Movant**

**Alaska Electrical Pension Fund**

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**David Avi Rosenfeld**  
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**Movant**

**Genesee County Employees' Retirement System**

represented by **Javier Bleichmar**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael Howard Rogers**  
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*LEAD ATTORNEY*  
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**David Avi Rosenfeld**  
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**Movant**

**State-Boston Retirement System**

represented by **Javier Bleichmar**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael Howard Rogers**  
(See above for address)  
*LEAD ATTORNEY*  
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**David Avi Rosenfeld**  
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*ATTORNEY TO BE NOTICED*

**Movant**

**New Jersey Building Laborers Pension and Annuity Funds**

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Date Filed	#	Docket Text
01/15/2010	1	COMPLAINT against Stryker Corporation, Stephen P. Macmillan, Dean H. Bergy. (Filing Fee \$ 350.00, Receipt Number 892174) Document filed by City of Pontiac General Employee's Retirement System.(ama) (mro). (Entered: 01/19/2010)
01/15/2010	2	SUMMONS ISSUED as to Stryker Corporation, Stephen P. Macmillan, Dean H. Bergy. (ama) (Entered: 01/19/2010)
01/15/2010	3	Magistrate Judge Debra Freeman is so designated. (ama) (Entered: 01/19/2010)
01/15/2010	4	Case Designated ECF. (ama) (Entered: 01/19/2010)
01/15/2010	5	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by City of Pontiac General Employee's Retirement System.(ama) (Entered: 01/19/2010)
02/04/2010	6	NOTICE OF APPEARANCE by Gideon Alexander Schor on behalf of Stryker Corporation, Stephen P. Macmillan, Dean H. Bergy (Schor, Gideon) (Entered: 02/04/2010)
02/04/2010	7	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Stryker Corporation.(Schor, Gideon) (Entered: 02/04/2010)
02/05/2010	8	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION to Transfer Case <i>NOTICE OF MOTION TO TRANSFER VENUE TO THE WESTERN DISTRICT OF MICHIGAN</i> . Document filed by Stryker Corporation, Stephen P. Macmillan, Dean H. Bergy. Return Date set for 3/3/2010 at 12:00 PM.(Schor, Gideon) Modified on 2/8/2010 (kw). (Entered: 02/05/2010)
02/05/2010	9	FILING ERROR – DEFICIENT DOCKET ENTRY – MEMORANDUM OF LAW in Support re: <u>5</u> MOTION to Transfer Case <i>NOTICE OF MOTION TO TRANSFER VENUE TO THE WESTERN DISTRICT OF MICHIGAN</i> .. Document filed by Stryker Corporation, Stephen P. Macmillan, Dean H. Bergy. (Schor, Gideon) Modified on 2/8/2010 (kw). (Entered: 02/05/2010)
02/05/2010	10	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Thomas R. Winkel in Support re: <u>5</u> MOTION to Transfer Case <i>NOTICE OF MOTION TO TRANSFER VENUE TO THE WESTERN DISTRICT OF MICHIGAN</i> .. Document filed by Stryker Corporation, Stephen P. Macmillan, Dean H. Bergy. (Schor, Gideon) Modified on 2/8/2010 (kw). (Entered: 02/05/2010)
02/05/2010	11	CERTIFICATE OF SERVICE of Motion to Transfer Venue to the Western District of Michigan served on City of Pontiac General Employees' Retirement System on 2/5/10. Document filed by Stryker Corporation, Stephen P. Macmillan, Dean H. Bergy. (Schor, Gideon) (Entered: 02/05/2010)
02/05/2010	12	MOTION to Transfer Case <i>NOTICE OF MOTION TO TRANSFER VENUE TO THE WESTERN DISTRICT OF MICHIGAN</i> . Document filed by Stryker Corporation, Stephen P. Macmillan, Dean H. Bergy. Return Date set for 3/3/2010 at 12:00 PM. (Attachments: # <u>1</u> [Proposed] Order)(Schor, Gideon) (Entered: 02/05/2010)
02/08/2010	13	MEMORANDUM OF LAW in Support re: <u>9</u> MOTION to Transfer Case <i>NOTICE OF MOTION TO TRANSFER VENUE TO THE WESTERN DISTRICT OF MICHIGAN</i> .. Document filed by Stryker Corporation, Stephen P. Macmillan,

Dean H. Bergy. (Schor, Gideon) (Entered: 02/08/2010)

02/08/2010	<u>I 11</u>	DECLARATION of Thomas R. Winkel in Support re: <u>9</u> MOTION to Transfer Case <i>NOTICE OF MOTION TO TRANSFER VENUE TO THE WESTERN DISTRICT OF MICHIGAN</i> .. Document filed by Stryker Corporation, Stephen P. Macmillan, Dean H. Bergy. (Schor, Gideon) (Entered: 02/08/2010)
02/08/2010	<u>I 12</u>	ORDER: Defendants' motion to transfer venue will be heard atnoon on Wednesday, March 17, 2010, in Courtroom 18C. All motionpapers shall be served in accordance with Local Civil Rule 6.1. So Ordered (Signed by Judge Robert W. Sweet on 2/8/2010) (js) (Entered: 02/09/2010)
02/22/2010	<u>I 13</u>	MEMORANDUM OF LAW in Opposition re: <u>9</u> MOTION to Transfer Case <i>NOTICE OF MOTION TO TRANSFER VENUE TO THE WESTERN DISTRICT OF MICHIGAN</i> .. Document filed by City of Pontiac General Employee's Retirement System. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Rosenfeld, David) (Entered: 02/22/2010)
03/01/2010	<u>I 14</u>	REPLY MEMORANDUM OF LAW in Support re: <u>9</u> MOTION to Transfer Case <i>NOTICE OF MOTION TO TRANSFER VENUE TO THE WESTERN DISTRICT OF MICHIGAN</i> .. Document filed by Stryker Corporation, Stephen P. Macmillan, Dean H. Bergy. (Schor, Gideon) (Entered: 03/01/2010)
03/01/2010	<u>I 15</u>	CERTIFICATE OF SERVICE of Defendants' Reply Memorandum of Law in Support of Motion to Transfer Venue to the Western District of Michigan on 3/1/2010. Document filed by Stryker Corporation, Stephen P. Macmillan, Dean H. Bergy. (Schor, Gideon) (Entered: 03/01/2010)
03/01/2010	<u>I 16</u>	STIPULATION AND ORDER CONCERNING SCHEDULING: None of the defendants herein has any obligation to answer, move or otherwise respond to the complaint, as set forth in this stipulation and order. (Signed by Judge Robert W. Sweet on 2/24/2010) (jpo) (Entered: 03/01/2010)
03/16/2010	<u>I 17</u>	MOTION to Appoint Alaska Electrical Pension Fund, Genesee County Employees' Retirement System and State–Boston Retirement System to serve as lead plaintiff(s) <i>and Approval of Selection of Lead Counsel</i> . Document filed by Alaska Electrical Pension Fund, Genesee County Employees' Retirement System, State–Boston Retirement System. (Attachments: # <u>1</u> Exhibit A – [Proposed] Order)(Rosenfeld, David) (Entered: 03/16/2010)
03/16/2010	<u>I 18</u>	MEMORANDUM OF LAW in Support re: <u>17</u> MOTION to Appoint Alaska Electrical Pension Fund, Genesee County Employees' Retirement System and State–Boston Retirement System to serve as lead plaintiff(s) <i>and Approval of Selection of Lead Counsel</i> . MOTION to Appoint Alaska Electrical Pension Fund, Genesee County Employees' Retirement System and State–Boston Retirement System to serve as lead plaintiff(s) <i>and Approval of Selection of Lead Counsel</i> .. Document filed by Alaska Electrical Pension Fund, Genesee County Employees' Retirement System, State–Boston Retirement System. (Rosenfeld, David) (Entered: 03/16/2010)
03/16/2010	<u>I 19</u>	DECLARATION of David A. Rosenfeld in Support re: <u>17</u> MOTION to Appoint Alaska Electrical Pension Fund, Genesee County Employees' Retirement System and State–Boston Retirement System to serve as lead plaintiff(s) <i>and Approval of Selection of Lead Counsel</i> . MOTION to Appoint Alaska Electrical Pension Fund, Genesee County Employees' Retirement System and State–Boston Retirement System to serve as lead plaintiff(s) <i>and Approval of Selection of Lead Counsel</i> .. Document filed by Alaska Electrical Pension Fund, Genesee County Employees'

		Retirement System, State-Boston Retirement System. (Attachments: # <u>1</u> Exhibit A – press release, # <u>2</u> Exhibit B – loss chart, # <u>3</u> Exhibit C – certifications, # <u>4</u> Exhibit D – csgrr firm resume, # <u>5</u> Exhibit E – Labaton firm resume)(Rosenfeld, David) (Entered: 03/16/2010)
03/16/2010	<u>I</u> <u>20</u>	MOTION to Appoint New Jersey Building Laborers Pension Fund and New Jersey Building Laborers Annuity Fund to serve as lead plaintiff(s) ., MOTION to Appoint Counsel. Document filed by New Jersey Building Laborers Pension and Annuity Funds. (Attachments: # <u>1</u> Text of Proposed Order)(Rado, Andrei) (Entered: 03/16/2010)
03/16/2010	<u>I</u> <u>21</u>	MEMORANDUM OF LAW in Support re: <u>20</u> MOTION to Appoint New Jersey Building Laborers Pension Fund and New Jersey Building Laborers Annuity Fund to serve as lead plaintiff(s) . MOTION to Appoint Counsel. MOTION to Appoint New Jersey Building Laborers Pension Fund and New Jersey Building Laborers Annuity Fund to serve as lead plaintiff(s) .. Document filed by New Jersey Building Laborers Pension and Annuity Funds. (Rado, Andrei) (Entered: 03/16/2010)
03/16/2010	<u>I</u> <u>22</u>	DECLARATION of ANDREI V. RADO in Support re: <u>20</u> MOTION to Appoint New Jersey Building Laborers Pension Fund and New Jersey Building Laborers Annuity Fund to serve as lead plaintiff(s) . MOTION to Appoint Counsel. MOTION to Appoint New Jersey Building Laborers Pension Fund and New Jersey Building Laborers Annuity Fund to serve as lead plaintiff(s) .. Document filed by New Jersey Building Laborers Pension and Annuity Funds. (Attachments: # <u>1</u> Exhibit A – Certification, # <u>2</u> Exhibit B – Loss Chart, # <u>3</u> Exhibit C – 1st Notice, # <u>4</u> Exhibit D – Firm Resume)(Rado, Andrei) (Entered: 03/16/2010)
03/18/2010	<u>I</u> <u>23</u>	ORDER FOR ADMISSION PRO HAC VICE ON ORAL MOTION: Boris Feldman is admitted to practice pro hac vice as counsel in this case in the USDC for the SDNY as further set forth herein. (Signed by Judge Robert W. Sweet on 3/17/10) (dle) (Entered: 03/18/2010)
03/23/2010	<u>I</u> <u>24</u>	ORDER that the motions of New Jersey Building Laborers Pension and Annuity Funds and Alaska Electrical Pension Fund, Genesee County Employees' Retirement System and State Boston Retirement System to be appointed lead plaintiff will be heard at noon on 4/21/10 in courtroom 18C. All motion papers shall be served in accordance with Local Civil Rule 6.1. (Signed by Judge Robert W. Sweet on 3/23/10) (dle) (Entered: 03/23/2010)
03/23/2010	<u>I</u> <u>25</u>	NOTICE of Firm Name Change. Document filed by City of Pontiac General Employee's Retirement System. (Rudman, Samuel) (Entered: 03/23/2010)
03/25/2010	<u>I</u> <u>26</u>	NOTICE OF APPEARANCE by Boris Feldman on behalf of Stryker Corporation, Stephen P. Macmillan, Dean H. Bergy (Feldman, Boris) (Entered: 03/25/2010)
03/25/2010	<u>I</u>	CASHIERS OFFICE REMARK on <u>23</u> Order Admitting Attorney Pro Hac Vice in the amount of \$25.00, paid on 03/18/2010, Receipt Number 898233. (jd) (Entered: 03/25/2010)
03/26/2010	<u>I</u> <u>27</u>	NOTICE of Filing of Related Action in W.D. Michigan. Document filed by Stryker Corporation. (Attachments: # <u>1</u> Exhibit A (Shareholder Derivative Complaint))(Schor, Gideon) (Entered: 03/26/2010)
03/30/2010	<u>I</u> <u>28</u>	RESPONSE in Opposition re: <u>20</u> MOTION to Appoint New Jersey Building Laborers Pension Fund and New Jersey Building Laborers Annuity Fund to serve as lead plaintiff(s) . MOTION to Appoint Counsel. MOTION to Appoint New

		<p>Jersey Building Laborers Pension Fund and New Jersey Building Laborers Annuity Fund to serve as lead plaintiff(s)., <u>17</u> MOTION to Appoint Alaska Electrical Pension Fund, Genesee County Employees' Retirement System and State–Boston Retirement System to serve as lead plaintiff(s) <i>and Approval of Selection of Lead Counsel</i>. MOTION to Appoint Alaska Electrical Pension Fund, Genesee County Employees' Retirement System and State–Boston Retirement System to serve as lead plaintiff(s) <i>and Approval of Selection of Lead Counsel</i>. <b>DEFENDANTS' STATEMENT IN RESPONSE TO COMPETING LEAD PLAINTIFF MOTIONS</b>. Document filed by Stryker Corporation, Stephen P. Macmillan, Dean H. Bergy. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Feldman, Boris) (Entered: 03/30/2010)</p>
04/01/2010	<u>I</u> <u>29</u>	RESPONSE to Motion re: <u>17</u> MOTION to Appoint Alaska Electrical Pension Fund, Genesee County Employees' Retirement System and State–Boston Retirement System to serve as lead plaintiff(s) <i>and Approval of Selection of Lead Counsel</i> . MOTION to Appoint Alaska Electrical Pension Fund, Genesee County Employees' Retirement System and State–Boston Retirement System to serve as lead plaintiff(s) <i>and Approval of Selection of Lead Counsel</i> .. Document filed by New Jersey Building Laborers Pension and Annuity Funds. (Rado, Andrei) (Entered: 04/01/2010)
04/02/2010	<u>I</u> <u>30</u>	MEMORANDUM OF LAW in Support re: <u>17</u> MOTION to Appoint Alaska Electrical Pension Fund, Genesee County Employees' Retirement System and State–Boston Retirement System to serve as lead plaintiff(s) <i>and Approval of Selection of Lead Counsel</i> . MOTION to Appoint Alaska Electrical Pension Fund, Genesee County Employees' Retirement System and State–Boston Retirement System to serve as lead plaintiff(s) <i>and Approval of Selection of Lead Counsel</i> .. Document filed by Alaska Electrical Pension Fund, Genesee County Employees' Retirement System, State–Boston Retirement System. (Keller, Christopher) (Entered: 04/02/2010)
04/08/2010	<u>I</u> <u>31</u>	ENDORSED LETTER addressed to Judge Robert W. Sweet from Gideon A. Schor dated 4/8/10 re: counsel for defendants write to request that the lead plaintiff hearing currently scheduled for April 21, 2010 in this action be adjourned pending the Court's resolution of the defendants' Motion to Transfer Venue to the Western District of Michigan. ENDORSEMENT: the April 21 hearing is adjourned 1 month. So Ordered. (Signed by Judge Robert W. Sweet on 4/8/10) (pl) (Entered: 04/08/2010)
04/08/2010	<u>I</u> <u>32</u>	NOTICE OF APPEARANCE by Javier Bleichmar on behalf of Alaska Electrical Pension Fund, Genesee County Employees' Retirement System, State–Boston Retirement System (Bleichmar, Javier) (Entered: 04/08/2010)
04/08/2010	<u>I</u> <u>33</u>	NOTICE OF APPEARANCE by Michael Howard Rogers on behalf of Alaska Electrical Pension Fund, Genesee County Employees' Retirement System, State–Boston Retirement System (Rogers, Michael) (Entered: 04/08/2010)
04/12/2010	<u>I</u> <u>34</u>	REPLY MEMORANDUM OF LAW in Support re: <u>17</u> MOTION to Appoint Alaska Electrical Pension Fund, Genesee County Employees' Retirement System and State–Boston Retirement System to serve as lead plaintiff(s) <i>and Approval of Selection of Lead Counsel</i> . MOTION to Appoint Alaska Electrical Pension Fund, Genesee County Employees' Retirement System and State–Boston Retirement System to serve as lead plaintiff(s) <i>and Approval of Selection of Lead Counsel</i> .. Document filed by Alaska Electrical Pension Fund, Genesee County Employees' Retirement System, State–Boston Retirement System. (Attachments: # <u>1</u> Exhibit A)(Keller, Christopher) (Entered: 04/12/2010)

04/20/2010	<u>I 35</u>	ORDER, that pursuant to the Endorsed Letter from Gideon A. Schor, dated April 8, 2010, the Court's prior scheduling order, dated March 23, 2010, is hereby vacated. The motions of New Jersey Building Laborers Pension and Annuity Funds and Alaska Electrical Pension Fund, Genesee County Employees' Retirement System, and State-Boston Retirement System to be appointed lead plaintiff will be heard at noon on Wednesday, May 26, 2010, in Courtroom 18C. (Signed by Judge Robert W. Sweet on 4/20/10) (pl) (Entered: 04/21/2010)
05/20/2010	<u>I 36</u>	NOTICE OF APPEARANCE by Lori Gwen Feldman on behalf of New Jersey Building Laborers Pension and Annuity Funds (Feldman, Lori) (Entered: 05/20/2010)
05/21/2010	<u>I 37</u>	OPINION #98985 re: <u>9</u> NOTICE OF MOTION TO TRANSFER VENUE TO THE WESTERN DISTRICT OF MICHIGAN filed by Dean H. Bergy, Stephen P. Macmillan, Stryker Corporation. Based on the facts and conclusions set further set forth in this Opinion, the motion to transfer this action, and any subsequently filed related action, to the United States District Court for the Western District of Michigan at Kalamazoo is granted. It is so ordered. (Signed by Judge Robert W. Sweet on 5/20/2010) (tve) Modified on 5/25/2010 (ajc). (Entered: 05/21/2010)
05/21/2010	<u>I</u>	CASE TRANSFERRED OUT ELECTRONICALLY from the U.S.D.C. Southern District of New York to the United States District Court – Western District of Michigan, except for document numbered 2 in which the original could not be located. (tro) Modified on 5/28/2010 (tro). (Entered: 05/28/2010)